

# PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and who is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B. (V.I.C.4)

TO PERMIT A REAR SETBACK OF 39 FEET IN LIEU OF REQUIRED 50 FEET.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

For many years the property has been used as a residential and commercial use and is located in a residential area.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) Signature Address City and State Agency for Petitioner: (Type or Print Name) Signature Address City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted: (Type or Print Name) Signature Address City and State Agency's Telephone No.: Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of November, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of January, 1982, at 9:30 o'clock A.M.

(over)

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner  
TO: Office of Planning and Zoning  
FROM: Ian J. Forrest  
SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item #80 - Edwin J. & Catherine McLauckey
- Item #83 - John Frank, Sr.
- Item #84 - White Marsh Mall, Inc.
- Item #85 - Harry Giordina
- Item #87 - Harold P. & Elaine L. Rothman
- Item #89 - Donald Ray & Dolores P. McCoy
- Item #90 - Betty Lee Dulary, et al
- Item #91 - Marine Oaks
- Item #92 - John W. Huber
- Item #93 - Anna E. E. Schneider
- Item #94 - Cassius D. & Shirley V. Miller
- Item #95 - American Telephone & Telegraph Co.
- Item #96 - American Telephone & Telegraph Co.
- Item #97 - American Telephone & Telegraph Co.
- Item #98 - William Thomas & Dorothy Lee Palmisano
- Item #99 - Salvatore Spitaleri
- Item #100 - Clarence & Karen Miller

Ian J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

1JF/eth

## BALTIMORE COUNTY

### ZONING PLANS

### ADVISORY COMMITTEE



### PETITION AND SITE PLAN

### EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 7, 1982

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Transportation  
Health Department  
Planning Department  
Public Works Department  
Zoning Administration  
Industrial Development

Mrs. Shirley V. Miller  
1338 Annapolis Road  
Baltimore, Maryland 21227

RE: Item No. 94  
Petitioner - Cassius D. Miller, et ux  
Variance Petition

Dear Mrs. Miller:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

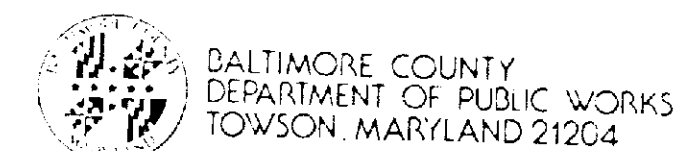
Very truly yours,

Nicholas B. Commodari  
Chairman  
Zoning Plans Advisory Committee

ENC:bae

Enclosures

CC: Keller & Keller  
3914 Woodlea Avenue  
Baltimore, Md. 21206



Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

December 10, 1981

RE: Item #94 (1981-1982)  
Property Owner: Cassius D. & Shirley V. Miller  
W/S Annapolis Rd. 215.35' S. of Virginia Ave.  
Acres: 16 x 110.93 District: 13th

Dear Mr. Hammond:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

#### General:

Annapolis Road (Md. 648) is a State Road, therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Baltimore County highway and utility improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 94 (1981-1982).

Very truly yours,

Robert A. Morton, P.E., Chief  
Bureau of Public Services

RAM:EAM:FWR:ss

CC: Jack Wimbley

C-NE Key Sheet 24 SW 5 Pos. Sheet  
SW 6 B Topo 109 Fax Map

## BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: November 18, 1981

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of: November 24, 1981

RE: Item No: 94, 95, 96, 97, 98, 99, 100, 101, 102  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

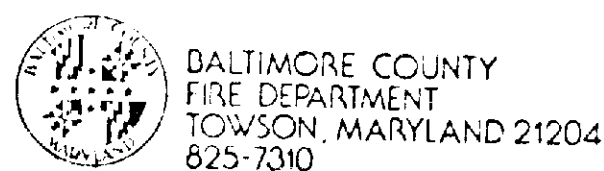
Dear Mr. Hammond:

All of the above have no bearing on student population (except Item 101).  
Item 101 has no adverse effect on student population.

Very truly yours,

Nick Petrovich, Assistant  
Department of Planning

WNP/bp



Paul H. Rencke  
Chief

December 16, 1981

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Cassius D. and Shirley V. Miller

Location: W/S Annapolis Road 215.35' S. of Virginia Avenue

Item No.: 94 Zoning Agenda: Meeting of November 24, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

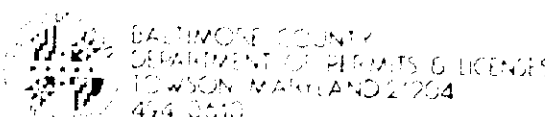
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: City of Baltimore, Planning Division  
Noted and Approved: Fire Prevention Bureau  
Special Inspection Division

JL/mb/cm



December 1, 1981

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #94 Zoning Advisory Committee Meeting, November 24, 1981

Property Owner: Cassius D. & Shirley V. Miller  
Location: W/S Annapolis Road 215.35' S. of Virginia Avenue  
Proposed Zoning: R.R. 10-5

Area: 16 X 110.93  
District: 13th

The items checked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.

X B. A building/ permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect/Engineer seal shall be required to file a permit application.

SPECIAL NOTE: X E. In view of the construction of an exterior wall erected within 10' of an adjacent lot line shall be of one hour fire resistive construction, or protected by fireproofing within 3' of lot line. A fireproofing (or equivalent) is required if construction is not fireproofed. Party or fire wall required.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed, comply with the height/area requirements of Table B-5 and the required construction classification of Table B-6.

I. Comments:

NOTE: These comments reflect only on the information received by the Planning Department in the Office of Planning and Zoning and are not intended to be a substitute for the City of Baltimore Planning Department's review of the proposed structure. It is recommended that the proposed structure be reviewed by the Planning Department at 111 West Chesapeake Avenue, Towson, Maryland 21204.

Very truly yours,  
Charles E. Lumbard  
Charles E. Lumbard, Chief  
City of Baltimore

CC:bae





January 12, 1982

Mr. and Mrs. Cassius D. Miller  
4338 Annapolis Road  
Baltimore, Maryland 21227

RE: Petition for Variance  
W/s of Annapolis Rd., 215.35' S of Virginia Ave.  
Case #82-158-A Item # 94

Dear Mr. and Mrs. Miller:

This is to advise you that \$42.30 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,  
WILLIAM E. HAMMOND  
Zoning Commissioner

Mr. and Mrs. Cassius D. Miller  
4338 Annapolis Road  
Baltimore, Maryland 21227

December 21, 1981

NOTICE OF HEARING

RE: Petition for Variance  
W/s Annapolis Rd., 215.35' S of Virginia Ave.  
Case #82-158-A

TIME: 9:30 A.M.

DATE: Tuesday, January 19, 1982

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

WILLIAM E. HAMMOND  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

February 3, 1982

Mr. & Mrs. Cassius D. Miller  
4338 Annapolis Road  
Baltimore, Maryland 21227

RE: Petition for Variance  
W/S of Annapolis Road, 215.35'  
S of Virginia Avenue - 13th  
Election District  
Cassius D. Miller, et ux -  
Petitioners  
NO. 82-158-A (Item No. 94)

Dear Mr. & Mrs. Miller:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND  
Zoning Commissioner

WEH/erl

Attachments

cc: John W. Hessian, III, Esquire  
People's Counsel

January 20, 1982

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: ZAC Meeting of November 24, 1981

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for items number 94, 95, 96, 97, 98, 99, 100 and 101.

Michael S. Flinnigan  
Traffic Engineering Associate II

MSF/r1j

WELH11  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 104536

DATE 1/26/82 ACCOUNT 01-662

AMOUNT \$42.30

RECEIVED FROM Shirley Miller

FOR Posting & Advertising of Case #82-158-A

423000

VALIDATION OR SIGNATURE OF CASHIER

Mrs. Shirley V. Miller  
4338 Annapolis Road  
Baltimore, Md. 21227

Keller & Keller  
3914 Woodlea Avenue  
Baltimore, Md. 21206

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 24th day of November, 1981

WILLIAM E. HAMMOND  
Zoning Commissioner

Petitioner Cassius D. Miller, et ux

Petitioner's Attorney Reviewed by Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 13th Date of Posting January 2-82

Posted for: Variance

Petitioner: Cassius D. Miller, et ux

Location of property: W/s Annapolis Rd., 215.35' S of Virginia Ave.

Location of Signs: West side of Annapolis Road, Approx. 2301 South of Virginia Avenue

Remarks: [Signature]

Posted by: [Signature] Date of return: January 1, 1982

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 21204

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of two successive weeks before the first publication appearing on the 22nd day of December, 1981.

THE JEFFERSONIAN  
Manager

Cost of Advertisement, \$

PETITION FOR VARIANCE  
13th DISTRICT

ZONING: Petition for Variance  
LOCATION: West side of Annapolis Rd., 215.35' S of Virginia Ave.  
DATE & TIME: Tuesday, January 19, 1982 at 9:30 A.M.  
PUBLIC HEARING: Room 106 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Petition for Variance to permit a rear setback of 20 feet in lieu of the required 30 feet.

The Zoning Regulation to be examined as follows:  
Section 1802.23 (VI, C, 4) - Minimum rear yard setback in a D.R. 105 Zone

All that parcel of land in the Thirteenth District of Baltimore County

Beginning at a point on West side of Annapolis Rd. at 215.35' S of Virginia Ave. & being known as Lot #10, Block "A", Section 2, "Friendship Gardens", in Baltimore Co. Plat Book G.L.B. 27/11.

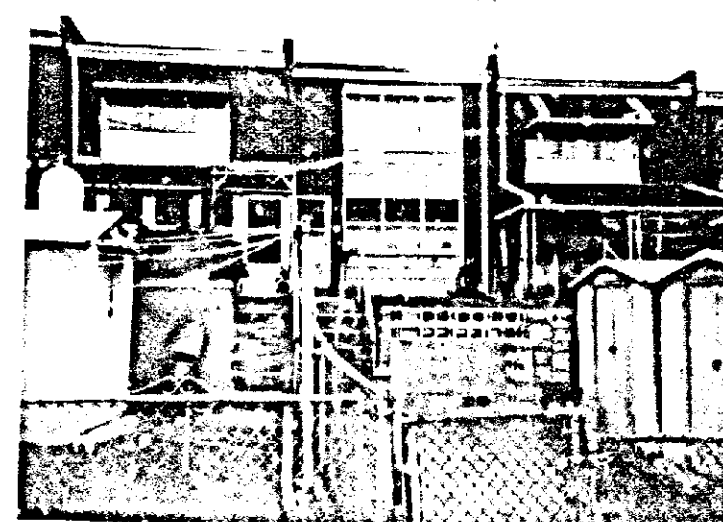
Improvements also known as 4338 Annapolis Road.

Being the property of Cassius D. Miller, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, January 19, 1982 at 9:30 A.M.

Public Hearing: Room 106 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

By Order of  
WILLIAM E. HAMMOND,  
Zoning Commissioner  
of Baltimore County  
Dec. 31.



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received this 16th day of November, 1981

Filing Fee \$25.00 Received: ☒ Check  
☐ Cash  
☒ Other money order

Petitioner Cassius D. Miller Submitted by Cassius Miller

Reviewed by [Signature] the Petition for assignment of a

No. 102688

DATE 12/22/81 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Cassius Miller

FOR Filing Fee for Case #82-158-A

25.0000

VALIDATION OR SIGNATURE OF CASHIER